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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

5 STEVEN ALEXANDER BOLDEN,

6 Plaintiff,

7 v.

8 UNITED STATES OF AMERICA,

9 Defendants.
10

Case No. C19-1289RSM

MINUTE ORDER STRIKING MOTION
FOR SUMMARY JUDGMENT AS
PROCEDURALLY INVALID

11 The following MINUTE ORDER is made by direction of the Court, the Honorable
12 Ricardo S. Martinez, Chief United States District Judge: Petitioner has filed a Motion to
13 Vacate, Set Aside, or Correct sentence pursuant to 28 U.S.C. § 2255. Dkt. #1. On November
14 13, 2019, the Court issued an Order granting Defendant United States of America an extension
15 of time to file an Answer. Dkt. #7. On November 19, 2019, Petitioner moved for summary
16 judgment, arguing that the United States “has failed to respond as ordered.” Dkt. #8 at 2. The
17 Court believes Petitioner was unaware that the United States was granted the extension of time
18 due to a delay in receiving filings through the mail. The United States has now filed a timely
19 Answer. Dkt. #10. The Court now STRIKES Petitioner’s Motion for Summary Judgment as
20 procedurally invalid and duplicative of the briefing permitted in §2255 cases. *See* Rules
21 Governing Section 2255 Proceedings for the United States District Courts. Petitioner still has
22 an opportunity to file a Reply to the Answer by December 20, 2019. *See* Dkt. #4 at 2.
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25 DATED this 22nd day of November, 2019.
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27 WILLIAM McCOOL, Clerk

28 By: /s/ Paula McNabb
Deputy Clerk